

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

JERRY TONY ORTIZ,

Plaintiff,

v.

No. 13-cv-0786 SWS/SMV

NIETO ENTERPRISES, LLC;
RICHARD M. NIETO; and
CAROLINA CABRALES-NIETO,

Defendants,

and

NIETO ENTERPRISES, LLC,

Counterclaimant,

v.

JERRY TONY ORTIZ and AMY ORTIZ,

Counterclaim-defendants.

**ORDER GRANTING IN PART AND DENYING IN PART
PLAINTIFF JERRY TONY ORTIZ'S MOTION TO COMPEL DISCOVERY**

This matter comes before the Court on Plaintiff's Motion to Compel Defendant Nieto Enterprises, LLC ("Nieto Enterprises") to respond to interrogatory number 18 and request for production number 31 directed to it; and to compel Defendant Carolina Cabrales-Nieto ("Mrs. Nieto") to answer interrogatory number 16 directed to her, which motion was filed herein on June 13, 2014 [Document 83]. A hearing was held on Plaintiff's motion on August 11, 2014. With respect to that motion, the Court holds as follows:

Plaintiff's Motion to Compel a response to interrogatory number 18 and request for production number 31 directed to Nieto Enterprises is denied, for reasons stated on the record.

Plaintiff's Motion to Compel Mrs. Nieto to answer interrogatory number 16 directed to her is granted. Mrs. Nieto shall provide a full and complete answer to this interrogatory, under oath, within 10 days of the date the hearing was held in this matter, as the Court stated in its ruling from the bench.

IT IS SO ORDERED.



Stephan M. Vidmar
U.S. Magistrate Judge

Submitted by:

/s/Jeffrey L. Squires
Jeffrey L. Squires
Peacock Myers, P.C.
201 Third St. NW, Suite 1340
Albuquerque, NM 87102
(505) 998-6116
jsquires@peacocklaw.com

Electronically approved on August 15, 2014 by:

/s/Kevin Soules
Kevin Soules
The Law Firm of Ortiz & Lopez
117 Bryn Mawr Dr.
Albuquerque, NM 87106